

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANIBAL GUTAMA,

Plaintiff,

v.

JUDGMENT

23-CV-2802 (ENV)(PK)

WHITESTONE AIR INC., KONSTANTINA
BISCARDI a/k/a KONSTANTINA TEGERIDES,
and MICHAEL TEGERIDES,

Defendants.
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An Order of the Honorable Eric N. Vitaliano, United States District Judge having been filed on November 20, 2024, adopting the Report and Recommendation of Magistrate Peggy Kuo, dated August 21, 2024, which recommended that the Motion be granted as to Defendants' failure to pay Plaintiff overtime wages, but denied as to violations of NYLL §195(1) and NYLL §195(3); that damages be awarded under the NYLL as follows: \$80,662.50 for unpaid overtime wages; \$80,662.50 in liquidated damages; \$3,154.00 in attorneys' fees; and \$402.00 in costs; that prejudgment interest be awarded at a daily rate of \$19.89 from August 15, 2020 until the date of judgment; that post-judgment interest shall accrue thereafter until payment of the judgment amount, and a fifteen-percent increase in penalty if damages under the NYLL are not paid within ninety days of judgment or the expiration of time to appeal; and the Clerk of Court having calculated the prejudgment interest at the rate set forth above, and the interest being \$31,028.40; it is

ORDERED and ADJUDGED that the motion for default judgment is granted; that Plaintiff is awarded a total amount of \$195,909.40 plus post-judgment interest that shall accrue thereafter until payment of the judgment amount, and a fifteen-percent increase in penalty if

damages under the NYLL are not paid within ninety days of judgment or the expiration of time to appeal.

Dated: Brooklyn, New York
November 22, 2024

Brenna B. Mahoney
Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk